

CALENDAR ITEM

C22

A 1

02/07/17

PRC 3401.1

S 1

J. Toy

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Murray B. Hall, Trustee of the Murray B. Hall Revocable Trust dated September 16, 1997 as amended and restated

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3920 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and one mooring buoy.

LEASE TERM:

10 years, beginning May 24, 2012.

CONSIDERATION:

This lease provides that lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be revised from \$2,216 per year to \$1,285 per year, effective May 24, 2017.

PROPOSED AMENDMENT:

Amend the Lease to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, and 6503.5; California Code of Regulations, title 2, section 2000, subdivision (b).

CALENDAR ITEM NO. **C22** (CONT'D)

Public Trust and the State's Best Interests Analysis:

On May 24, 2012, the Commission authorized a 10-year General Lease – Recreational Use to Murray B. Hall, Trustee of the Murray B. Hall Revocable Trust dated September 16, 1997 as amended and restated, for an existing pier, boat lift, and one mooring buoy ([Calendar Item C37, May 24, 2012](#)). That lease will expire on May 23, 2022.

Staff conducted the rent review called for in the lease and recommends the rent be revised from \$2,216 per year to \$1,285 per year based on changes to the impact area for the pier and application of the updated Lake Tahoe Benchmark. Staff also recommends the lease be amended to reflect the new reduced lease (impact) area.

The recommended action will not substantially interfere with the Public Trust needs at this time and at this location. For these reasons, staff recommends finding the proposed action is in the best interests of the State at this time.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
2. Amendment of the lease to make an adjustment in the lease area and the revision of the rent are not projects as defined by the California Environmental Quality Act, because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed amendment of Lease No. PRC 3401.1 will not substantially interfere with the Public Trust needs and values at this location and is in the best interests of the State.

CALENDAR ITEM NO. **C22** (CONT'D)

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 3401.1, a General Lease – Recreational Use, effective May 24, 2017, to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only).
2. Approve the revision of rent for Lease No. PRC 3401.1 from \$2,216 per year to \$1,285 per year, effective May 24, 2017.

EXHIBIT A

PRC 3401.1

LAND DESCRIPTION

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 2 of fractional Section 28, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, catwalk and boat lift lying adjacent to that parcel described in Grant Deed recorded December 16, 2011 as Document Number 2011-0100824-00 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2 – BUOY

A circular parcel of land, being 50 feet in diameter, underlying an existing buoy lying adjacent to that parcel described in Grant Deed recorded December 16, 2011 as Document Number 2011-0100824-00 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/18/2016 by the California State Lands Commission Boundary Unit.



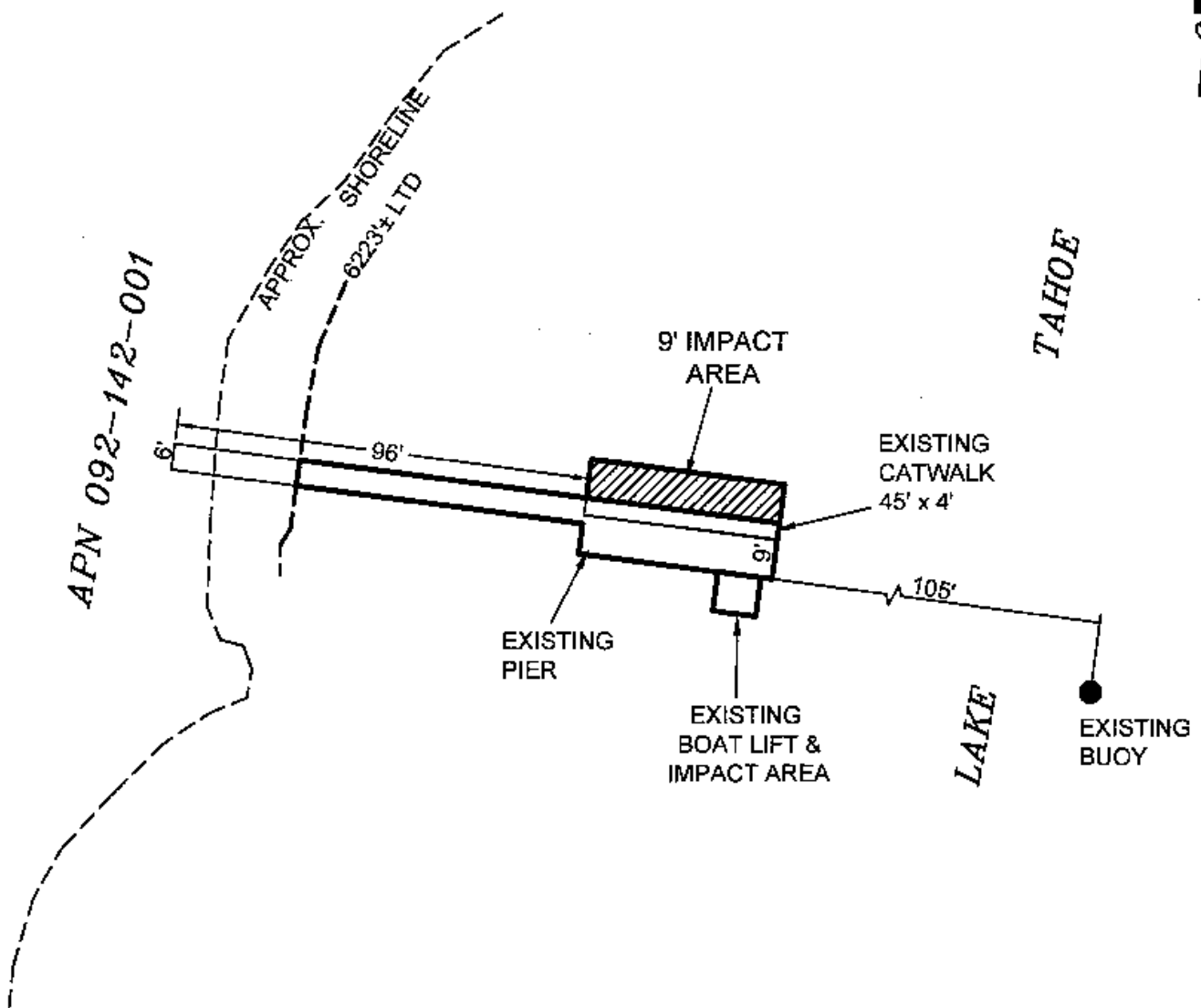


EXHIBIT A

Page 2 of 2

TS 10/18/16

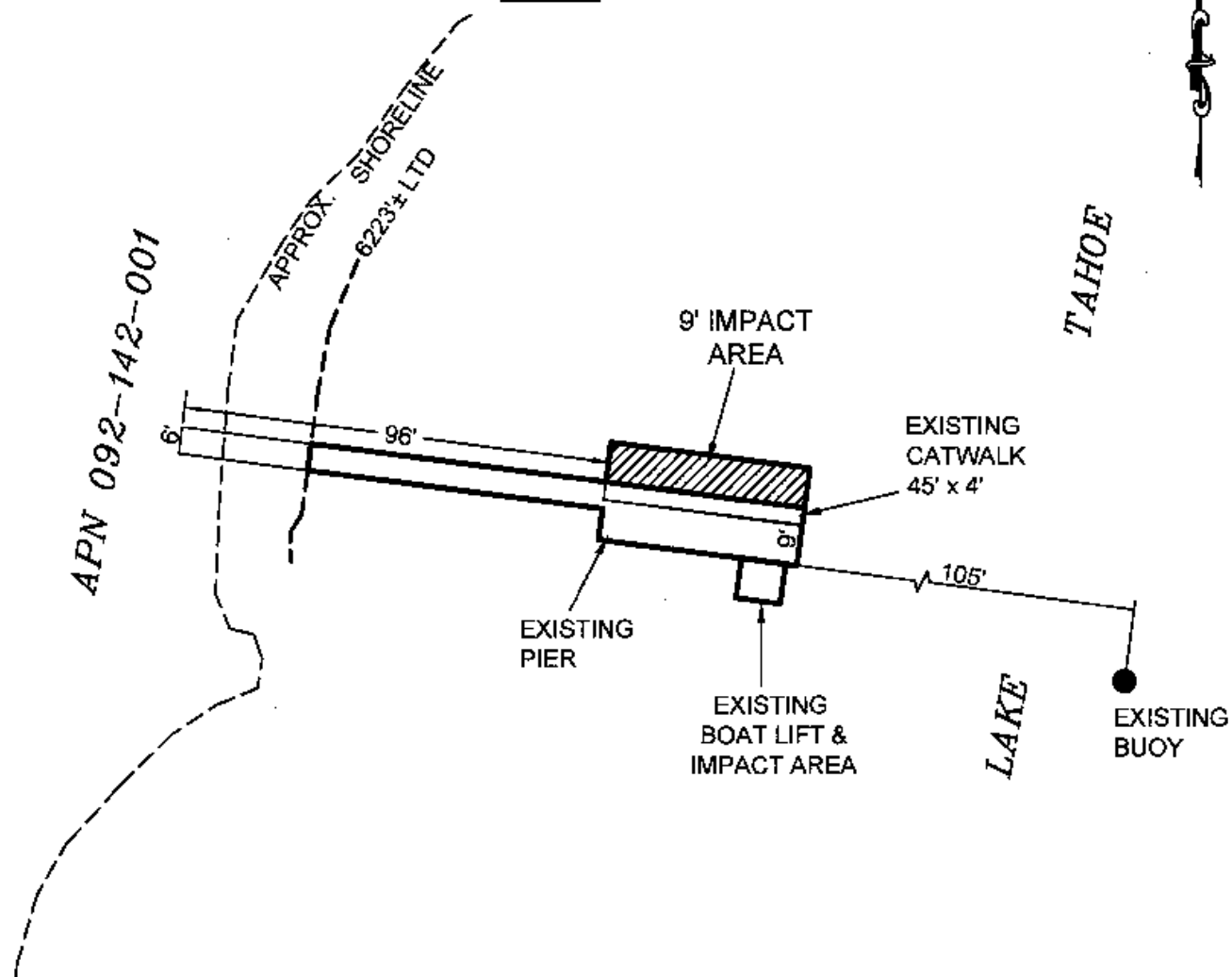
LAND DESCRIPTION PLAT
PRC 3401.1, MURRAY HALL
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

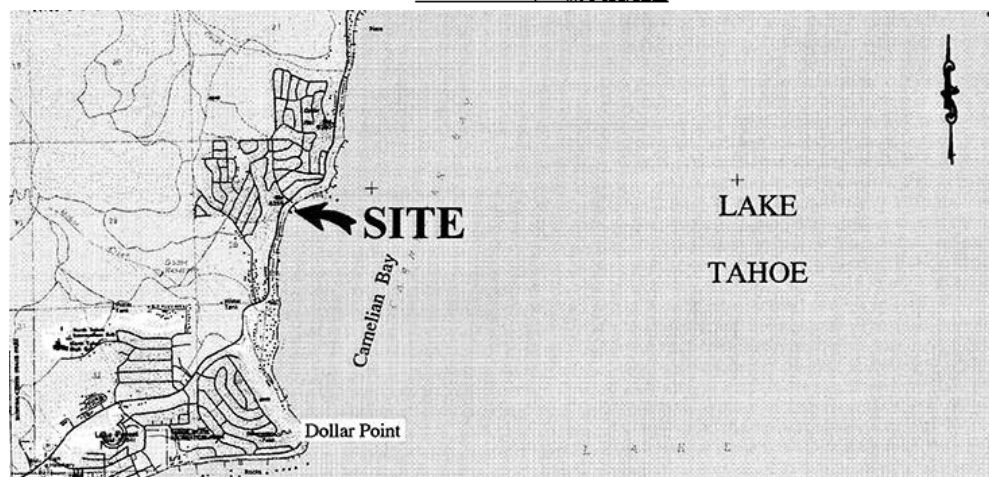
SITE



3920 NORTH LAKE BLVD., CARNELIAN BAY, LAKE TAHOE

NO SCALE

LOCATION



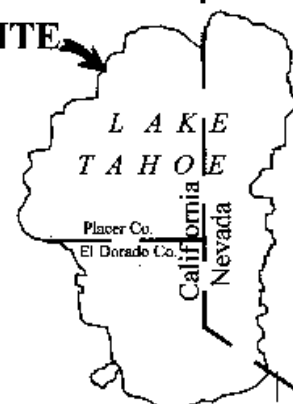
MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 3401.1
MURRAY HALL
APN 092-142-001
GENERAL LEASE-
RECREATIONAL USE
PLACER COUNTY

SITE



TS 10/18/16